

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

**KIM ANITA FIFER,
(DOB: 11-20-1960)**

CASE NO. 09-M-421

I, Colin Ragland, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

COUNT ONE

On February 24, 2009, Kim Anita Fifer, did knowingly possess with intent to use unlawfully five or more false identification documents, to wit, counterfeit state driver's licenses, the possession of which was in and affecting interstate commerce, and the false identification documents were transported in the mail in the course of the unlawful possession.

All in violation of Title 18, United States Code, Sections 1028(a)(3) and (b)(2)(B).

I further state that I am a Special Agent with the United States Secret Service, and that this complaint is based on the following facts:

Please see the attached affidavit.

Continued on attached sheet and made a part hereof: X Yes No

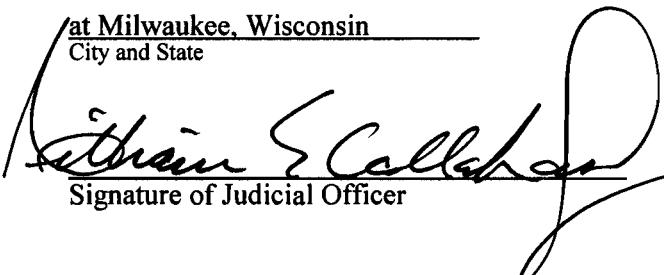

COLIN RAGLAND

Sworn to before me and subscribed
in my presence,

March 10th, 2009
Date

HONORABLE WILLIAM E. CALLAHAN, JR.
United States Magistrate Judge
Name & Title of Judicial Officer

at Milwaukee, Wisconsin
City and State


William E. Callahan
Signature of Judicial Officer

I. INTRODUCTION

I, Colin Ragland, being duly sworn, depose and state as follows:

1. I am employed as a Special Agent for the United States Secret Service (USSS) and have been so employed for approximately three years. During this time, I have received specialized training in the enforcement of laws concerning counterfeit checks and false identifications. I have participated in numerous counterfeiting and identity theft investigations, including violations of Title 18, United States Code, Section 1028.

2. This affidavit is based upon my personal knowledge and information reported to me by other federal, state, and local law enforcement officers during the course of their official duties, all of whom I believe to be truthful and reliable. This affidavit is also based upon information gained from interviews with citizen witnesses and informants, whose reliability is established separately herein.

3. I am an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), in that I am empowered by law to conduct investigations of and to make arrests for federal felony offenses.

4. This affidavit is submitted in support of a complaint which charges that Kim Anita Fifer knowingly possessed five or more false identification documents, to wit, counterfeit state driver's licenses, in violation of Title 18, United States Code, Section 1028(a)(3) and (b)(2)(B). The affidavit is further submitted in support of an arrest warrant for Kim Anita Fifer for violating Title 18, United States Code, Section 1028(a)(3) and (b)(2)(B). Because this affidavit is submitted for the purposes of obtaining a complaint, it does not contain everything I know about this investigation or all of the information obtained during the course of the investigation.

5. Title 18, United States Code, Section 1028(a)(3) provides:

(a) Whoever, in a circumstance described in subsection (c) of this section -

(3) knowingly possesses with intent to use unlawfully or transfer unlawfully five or more identification documents (other than those issued lawfully for the possessor), authentication features, or false identification documents; shall be punished as provided in subsection (b) of this section.

6. Title 18, United States Code, Section 1028(d)(4) provides:

(d) In this section and section 1028A

(4) the term "false identification document" means a document of a type intended or commonly accepted for the purposes of identification of individuals that

(A) is not issued by or under the authority of a governmental entity or was issued under the authority of a governmental entity but was subsequently altered for purposes of deceit; and

(B) appears to be issued by or under the authority of the United States Government, a State, a political subdivision of a State, a sponsoring entity of an event designated by the President as a special event of national significance, a foreign government, a political subdivision of a foreign government, or an international governmental or quasi-governmental organization;

II. BACKGROUND

6. On September 7th, 2008, Citizen Witness S.N. reported to police that an unknown person had opened a credit card account via the internet with Target National Bank (Target). Citizen Witness S.N. did not authorize the opening of the credit card account and was unaware of the account until Target contacted him/her regarding the application. Target confirmed with Citizen Witness S.N. that it had received his/her personal identifying information, such as his/her driver's license number, Social Security Number (SSN), date of birth and place of employment in connection with the credit card account application.

7. On September 9, 2008, Citizen Witness S.N. went to Tri City National Bank, at 6767 West Greenfield Avenue in West Allis, Wisconsin to review his/her checking account records because \$81.50 had been electronically debited from his/her account without his/her consent. Upon reviewing the account, Citizen Witness S.N. discovered two additional unauthorized withdrawals; one in the amount of \$150.00 and another for \$110.09. Further investigation revealed that these two unauthorized withdrawals were the result of checks that were written against Citizen Witness S.N.'s checking account.

8. Citizen Witness S.N. reviewed the digitized copies of the unauthorized checks and determined that they bore his/her personal identifiers, such as the driver's license number, but not his/her real name. One check, Check # 2756, was dated August 27, 2008, and was used to purchase two \$75.00 Wal-Mart gift cards at the Wal-Mart at 401 East Capitol Drive in Milwaukee, Wisconsin.

9. On September 16th, 2008, a case agent reviewed surveillance video of the August 27, 2008, Wal-Mart transaction where an unknown female purchased two \$75.00 Wal-Mart gift cards using Citizen Witness S.N.'s checking account information. The surveillance video revealed the unknown female gave the cashier one of the \$75.00 gift cards.

10. The case agent questioned the cashier, Citizen Witness S.A., about the August 27, 2008, transaction. Citizen Witness S.A. stated that the customer who purchased the gift cards has come through her line on multiple occasions. Citizen Witness S.A. indicated that she did not know this customer by name, but said that the unknown female's cellular phone number is (414) 731-7241. After reviewing additional surveillance images, it was further determined that the same unknown female had come through Citizen Witness S.A.'s check-out line on July 30, September 1, September 7 and September 16, 2008. On each date, the unknown female paid with a fraudulent check.

11. The case agent determined that one fraudulent check, Check #1578 in the amount of \$688.64, was made payable to Wal-Mart on July 30, 2008. This check, which appeared to have been issued by Bank of America, bore the personal identifiers of Citizen Witness G.V. of Memphis, Tennessee. Citizen Witness G.V. stated that he/she did not authorize this transaction and did not give anyone permission to write a check against his/her account.

12. The case agent determined that another check, Check # 2284 in the amount of \$617.69, was made payable to Wal-Mart on September 16, 2008. This check, which appeared to have been issued by the Greater Milwaukee Credit Union, bore the personal identifiers of Citizen Witness A.B. of Mequon, Wisconsin. Citizen Witness A.B. stated that he/she did not authorize this transaction and did not give anyone permission to write a check against his/her account.

III. INVESTIGATION OF KIM ANITA FIFER

13. WE Energies confirmed that the cellular phone number provided by the Wal-Mart cashier, (414) 731-7241, is the contact phone number for the energy account held by Kim Anita Fifer. The address associated with this account is 4409 West Capitol Drive, Milwaukee, Wisconsin. This WE Energies account has been active since April 2008.

14. A check with the Wisconsin Department of Transportation revealed that Kim A. Fifer was issued a driver's license in November 2008. The address associated with the license is 4407 West Capitol Drive, Milwaukee, Wisconsin. It was determined that the residences at 4407 and 4409 West Capitol are in duplex format with Kim Fifer's mother living downstairs in 4407 and Kim Fifer and her son living upstairs in 4409.

15. On November 24 and December 18 and December 26, 2008, and January 8, January 20 and January 27, and February 3, 2009, the case agent conducted trash pulls of the garbage located

outside 4407 and 4409 West Capitol Drive. During each search, the trash was located in a trash receptacle in the alley behind the residences at 4407 and 4409 West Capitol Drive.

16. On December 18 and December 26, 2008, and January 8, January 20 and February 3, 2009, the case agent recovered from the curbside trash pulls mail addressed to Kim Fifer.

17. On December 18, 2008, the case agent recovered from the curbside trash outside 4407 and 4409 West Capitol Drive a torn piece of paper with the name "H.Z." at 13359 Elmdale. "H.Z." is the mother of Citizen Witness S.N., whose checking account was illegally used to purchase two Wal-Mart gift cards on August 27, 2008. On January 8, 2009, the case agent recovered from the curbside trash outside 4409 West Capitol Drive a torn piece of computer paper thanking Citizen Witness S.N. for her recent order with the website FIGI's.

18. On November 24, 2008, the case agent recovered a check written to Wal-Mart on November 21, 2008, in the amount of \$602.67. The check, which appeared to have been issued by TCF Bank, was traced to Citizen Witness J.K. of Milwaukee, Wisconsin. Citizen Witness J.K. did not authorize the check nor did she consent to anyone writing checks against her account. Surveillance images from the Wal-Mart store at 401 East Capitol Drive on November 21, 2008, were obtained and appear to show the same unknown female who used Citizen Witnesses S.N. and A.B.'s information in the cashier's line purchasing three (3) \$200 Wal-Mart gift cards using Citizen Witness J.K.'s account.

19. On January 16, 2009, Citizen Witness J.K. reported to police that two additional unauthorized checks had been written from her checking account. Check # 4511 was written from Citizen Witness J.K.'s account under the name "Rita Ann King," with the name "Kings and Qureens Academy" above the date. On December 26, 2008, the case agent recovered from the trash outside

4409 West Capitol Drive a piece of computer paper with the name "Kings and Qureens Academy."

On January 27, 2009, the case agent recovered from the trash outside 4409 West Capitol Drive a torn piece of a mailing label from CERI International Group addressed to Rita King, 4860 N. 48th Street, Milwaukee, Wisconsin. CERI International Group reports that an individual known as Rita King placed an order with them and the contact phone number associated with this address was (414) 731-7241, the same phone number associated with Kim Fifer's WE Energies account.

20. On December 26, 2008, the case agent recovered from the curbside trash outside 4407 and 4409 West Capitol Drive a torn half of a personal check with the partial names of Citizen Witnesses M.D. and J.D. of Tennessee. The check, which appears to have been issued by Regions Bank, was made out to Wal-Mart in the amount of \$300 and some unknown cents. Citizen Witnesses M.D. and J.D. stated that they did not give anyone permission to produce checks with their personal identifying information or to write checks against their account. Citizen Witnesses M.D. and J.D determined that ten checks were fraudulently written from their account. Six of these checks were made payable to Wal-Mart.

21. On February 23, 2009, case agents obtained a state search warrant for Kim Anita Fifer's residence at 4409 West Capitol Drive. Case agents served the search warrant on February 24th, 2009. During the search, case agents recovered at least twenty (20) counterfeit driver's licenses, each of which was printed on photographic paper and each of which bears a photograph of Kim Fifer. None of the licenses bears Kim Fifer's name. Among the driver's licenses found, 12 purport to be issued by the State of Wisconsin, 5 purport to be issued by the State of Tennessee, 2 purport to be issued by the State of Mississippi and 1 purports to be issued by the State of Louisiana. One of the driver's licenses that purports to be issued by the state of Wisconsin bears the name Rita Ann King, which

is the same name used on the unauthorized checks written from Citizen Witness J.K.'s account. Two of the driver's licenses that purport to be issued by the State of Tennessee bear the name and driver's license number of Citizen Witness J.D. from Tennessee, who reported that multiple checks were fraudulently written from her account.

22. Also discovered during the search were counterfeit checks bearing at least 15 different bank routing and account numbers. These checks purport to be issued by banks in the following states: Illinois, Hawaii, Wisconsin, Tennessee, Minnesota, Alabama and Mississippi. At least eight checks contain personal information belonging to valid checking accounts. The owners of these eight checking accounts have confirmed that they did not consent to Kim Anita Fifer's use of their personal information or checking accounts.

23. At least four counterfeit checks recovered from 4409 West Capitol Drive match the names associated with one or more of the counterfeit driver's licenses also recovered during the search. Check # 7665 purports to be issued from Regions Bank and bears the name and driver's license numbers of J.D. and M.D. of Tennessee. As discussed above, recovered from 4409 West Capitol Driver were two driver's licenses that purport to be issued by the State of Tennessee and which bear the name and driver's license number of Citizen Witness J.D. and a photograph of Kim Fifer. Check # 3010 purports to be issued from Citizens Bank & Savings in Russellville, Alabama, and bears the name and driver's license number of B.M. of Tennessee. Case agents recovered from 4409 West Capitol Drive a counterfeit driver's license that purports to be issued by the State of Tennessee which bears B.M.'s name and driver's license number and Kim Fifer's photograph. Check # 1681 purports to be issued by Independent Bank in Memphis, Tennessee, and bears the name and driver's license number of G.P. Case agents recovered from 4409 West Capitol Drive a

counterfeit driver's license that purports to be issued by the State of Mississippi which bears G.P.'s name and driver's license number and Kim Fifer's photograph. Finally, Checks # 2790 and 3023 purport to be issued by State Financial Bank in Hales Corners, Wisconsin, and Tri City National Bank, respectively, and bear the name and driver's license number of C.K. Case agents recovered from 4409 West Capitol Drive a counterfeit driver's license that purports to be issued by the State of Mississippi which bears C.K.'s name and driver's license number and Kim Fifer's photograph.

24. I have examined the checks and state driver's licenses recovered from the search warrant at 4409 West Capitol Drive, Milwaukee, Wisconsin. Based on my training, experience, my interview with Kim Fifer, I was able to verify that all of the checks and state driver's licenses recovered are counterfeit.

25. Case agents also recovered during the search of 4409 West Capitol Drive three opened overnight mail envelopes with a return address of Georgia. The envelopes are addressed to "4407 West Capital (sic) Drive." Two envelopes are "Kim Phifer" and one is addressed to "Fred Smith." Found inside the envelopes were nine counterfeit checks which bear the name "C.M." and purport to have been issued by Northwest Bank Wisconsin in Madison, Wisconsin. Also found in the envelopes were two counterfeit driver's licenses printed on photographic paper. One driver's license bears the name "D.M." and the other bears the name "C.J." Both purport to have been issued by the State of Wisconsin and feature different driver's license numbers. The driver's license issued under the name "C.J." bears a photograph of Kim Fifer and the driver's license issued under "D.M. does not have any photograph.

26. On February 26th, 2009, Kim Fifer met with case agents at the West Allis Police Department. After Kim Fifer was advised of her Miranda rights, she provided a statement detailing

her involvement in identity theft over the past two years. In summary, Kim Fifer admitted that she has purchased the personal identifiers and bank account numbers of many individuals over the past two years. Kim Fifer stated that she obtained some personal identifiers from an unknown individual in Chicago, Illinois. Kim Fifer was presented with documents taken from her residence that had the names and personal identifiers of suspected and known identity theft victims. Kim Fifer acknowledged using the following the personal information of the following victims for financial gain: "J.D.", "A.R.", "S.N.", "J.M.", "S.D.", "G.P.", "W.G.", "J.K.", "A.B.", "V. G.", "G.D.", "J.N.", and "S.B."

IV. CONCLUSION

27. I therefore submit that there exists probable cause to believe that Kim Anita Fifer knowingly possessed five or more false identification documents, to wit, counterfeit state driver's licenses, in violation of Title 18, United States Code, Section 1028(a)(3) and (b)(2)(B).